

IN THE CLAIMS:

Please cancel claims 1 through 15 without prejudice.

Please amend the claims as follows:

1-15. (Canceled)

16. (Currently amended) A method for forming an overlay target including a series of raised lines, the method comprising:
providing a substrate having an upper surface;
depositing a resist layer over the substrate;
patterning the resist layer to include a resist pattern defining ~~said the~~ overlay target including a series of raised lines;
etching the substrate to form the overlay target including ~~said the~~ resist pattern with the series of raised lines; and
depositing a second layer of material having an upper surface thereof substantially over a portion of the upper surface of the substrate allowing the operation of a registration tool regarding the series of raised lines of the overlay target and not substantially conforming to a topography of the overlay target, ~~said the~~ upper surface being substantially free, as deposited, of depressions in the portion thereof covering ~~said the~~ overlay target in the substrate, the lower surface of the second layer of material being contiguous with at least a portion of the overlay target.

17. (Currently amended) The method of claim 16, wherein ~~said the~~ providing a substrate comprises providing a semiconductor substrate selected from a group consisting of silicon, gallium, and sapphire substrates.

18. (Currently amended) The method of claim 17, wherein ~~said the~~ depositing a resist layer over ~~said the~~ substrate comprises depositing a resist layer directly over ~~said the~~

semiconductor substrate selected from the group consisting of silicon, gallium, and sapphire substrates.

19. (Currently amended) The method of claim 16, wherein ~~said the~~ providing a substrate includes providing a semiconductor substrate having a top surface, a bottom surface, and a material layer deposited over ~~said the~~ top surface.

20. (Currently amended) The method of claim 19, wherein ~~said the~~ depositing a resist layer over said substrate comprises depositing a resist layer over ~~said the~~ material layer and ~~said the~~ etching ~~said the~~ substrate to form ~~said the~~ overlay target including a series of raised lines comprises etching ~~said the~~ material layer.

21. (Currently amended) The method of claim 16, wherein ~~said the~~ etching comprises wet etching ~~said the~~ substrate to form ~~said the~~ overlay target including ~~said the~~ resist pattern with ~~said the~~ series of raised lines.